

10/080881

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**Applicant:** Nelson, et al  
**Patent No.:** 6,839,596  
**Filed:** February 21, 2002  
**Docket No.:** A261-USA  
**Title:** MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS

**Certificate**  
JAN 27 2005  
**of Correction**

TRANSMITTAL LETTER

**Certificate of Corrections Branch**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: 7 Jan 05

Typed Name: Marie W. Lau

Signature: [Signature]

Dear Sir:

The attached Certificate of Correction corrects multiples errors found in 3 classes:

1. Publication clerical errors - see col. 4, line 49  
col. 5, line 38  
col. 7, line 49  
col. 12, line 3  
col. 16, steps 4 and 5  
col. 26, line 48

01/21/2005 SDIRETA1 00000027 500692 6839596  
01 FC:1811 100.00 DA

2. Publication error on the Title Page related to the added inventor as supported by the submissions noted in PAIR on 3/15/04 (Oath or Declaration Filed), 5/27/04 (Oath or Declaration Filed, Petition

27 JAN 2005

Entered), and 8/16/04 (Amendment after final or under 37 CFR 1.312, initialed by the examiner); copies of which are all found in Appendix A.

3. Clerical/grammatical errors by the Applicants as found in col. 3, lines 24-25 and in claims 24 (col. 29, line 2) and 25 (col. 30, line 7) which reflect similar errors that were corrected in collaboration with the Examiner on 07/21/04 via an Examiner's Amendment (see the attached internal memo in Appendix B).

Finally, Applicants hereby request a corrected Grant that names all three inventors.

The PTO is hereby authorized to charge our deposit account 50-0692 a fee of \$100 under 37 CFR 1.20(a) for processing this Certificate of Correction.

If there are any questions regarding these corrections, please call the undersigned attorney at the Los Angeles, California telephone number (661) 702-6700 to discuss the steps necessary for processing this Certificate of Correction in an expeditious manner.

Respectfully submitted,

1/7/05

Date

Lee J. Mandell

Lee J. Mandell  
Patent Attorney for Applicant  
Reg. No. 37,176

Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 702-6700  
(661) 702-6710 (fax)

7 JAN 2005

# UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF CORRECTION



PATENT NO. : 6,839,596  
 DATED : 1/4/2005  
 INVENTOR(S) : Nelson, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

### Title page, Item (75), should read as follows:

--(75) Richard J. Nelson, Canyon Country, CA (US); Joseph H. Schulman, Santa Clarita, CA (US); Joseph N. Walker, Canyon Country, CA (US)--

### Col. 3, lines 24-25 to read as follows:

--having a plurality of implanted devices within the application of a magnetic programmer proximate to one of the--

### Col. 4, line 49 to read as follows:

--'284 patent, potential implanted devices 100 (see also the--

### Col. 5, line 38 to read as follows:

--implantable devices 100 operable to sense and/or stimulate a--

### Col. 7, line 49 to read as follows:

--Pulse Frequency (PPS): 1 to 5000 PPS in nominally 30% steps--

### Col. 12, line 3 to read as follows:

--magnetic field point from 0 to 0' (see vertical dashed line--

### Col. 16, Steps No. 4 and 5 of example to read as follows:

--4. Select Mode	Following steps 2 and 3, hand magnetic programmer surface 1042 is placed on the skin for 2 seconds and then removed for 2 to 3 seconds.	Implantable device 100 responds and sets Pulse Burst mode.
5. Set Parameter	Following step 4, hand magnetic programmer surface 1042 is placed on the skin and held	Implantable device 100 responds and cycles through Pulse Burst sequences stepping from one to the next--

### Col. 26, line 48 to read as follows:

--configured for modifying and/or sensing a patient's body--

**Col. 29, line 2 to read as follows:**

--threaded cavity wherein said inner threaded cavity is--

**Col. 30, line 7 to read as follows:**

--cavity wherein said inner cavity is formed to--

**MAILING ADDRESS OF SENDER:**  
**THE ALFRED E. MANN FOUNDATION FOR SCIENTIFIC RESEARCH**

**PATENT NO:** 6,839,596

No. of additional copies

**P.O. Box 905**  
**Santa Clarita, CA 91380-9005**



This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

## **APPENDIX A**

Docket No.  
A261-USA

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS**

the specification of which  
(check one)

☐ is attached hereto.

☒ was filed on February 21, 2002 as United States Application No. or PCT International  
Application Number 10/080,881  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

JAN 2005

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

Malcolm J. Romano 28,752

Lee J. Mandell 37,176

Gary D. Schnittgrund 42,130

K.Cyrus Khosravi 40,375

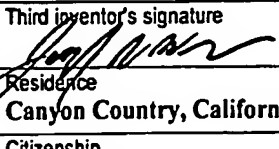
Send Correspondence to: Lee J. Mandell  
The Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005

Direct Telephone Calls to: *(name and telephone number)*  
Lee J. Mandell, 661-775-3995

Full name of sole or first inventor Richard J. Nelson	
Sole or first inventor's signature <i>Richard J. Nelson</i>	Date 3-4-07
Residence Canyon Country, California	
Citizenship United States	
Post Office Address 20216 Lakemore Drive, Canyon Country, California 91351	

Full name of second inventor, if any Joseph H. Schulman	
Second inventor's signature <i>Joseph H. Schulman</i>	Date 3-5-4
Residence Santa Clarita, California	
Citizenship United States	
Post Office Address 16050 Comet Way, Santa Clarita, California 91387	



Full name of third inventor, if any <b>Joseph N. Walker</b>	
Third inventor's signature 	Date <b>May 4, 2004</b>
Residence <b>Canyon Country, California</b>	
Citizenship <b>United States</b>	
Post Office Address <b>18540 Soledad Canyon Road #38, Canyon Country, California 91351</b>	

Full name of fourth inventor, if any	
Fourth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

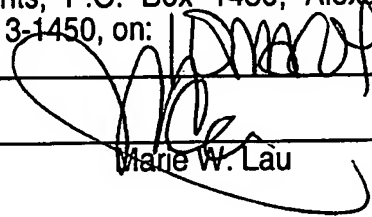
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<b>Applicant:</b>	Nelson, et al.	<b>Art Unit:</b>	3762
<b>Serial No.:</b>	10/080,881	<b>Examiner:</b>	Getzow, Scott M.
<b>Filed:</b>	February 21, 2002		
<b>Docket No.:</b>	A261-USA		
<b>For:</b>	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Marie W. Lau

**PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

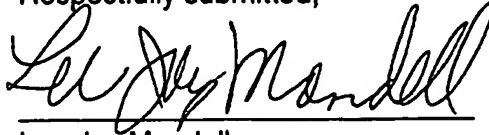
Pursuant to 37 C.F.R. 1.48(a), Applicant hereby petitions the Commissioner to correct inventorship in the above-identified patent application. As supported by the enclosed declarations of Richard J. Nelson and Joseph H. Schulman, applicants, without deceptive intent, incorrectly named the inventors in the declaration filed in the parent application, Magnet Control System For Battery Powered Living Tissue

Stimulators, 10/080,881, filed February 21, 2002. The correct inventorship is shown in the new declaration provided herewith.

3/9/04

Date

Respectfully submitted,



Lee Jay Mandell  
Attorney for Applicant  
Reg. No. 37,176

Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 (fax)



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

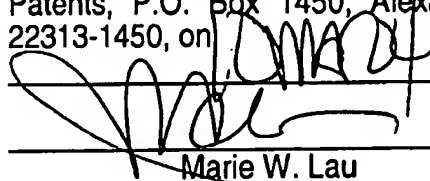
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Applicant:	Nelson, et al.	Art Unit:	3762
Serial No.:	10/080,881	Examiner:	Getzow, Scott M.
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Marie W. Lau

CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP  
PURSUANT TO 37 C.F.R. 1.48(a)

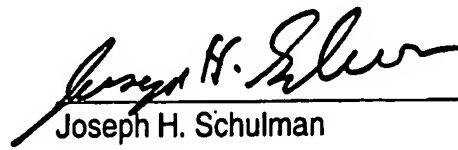
Dear Sir:

Pursuant to 37 C.F.R. 1.48(a), Assignee hereby notifies the Commissioner that they are the Assignee of the referenced patent and that the Petition to correct inventorship in the above-identified patent application is hereby approved.

Respectfully submitted,

3-5-4

Date

  
Joseph H. Schulman  
President

Assignee  
Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 (fax)

Serial No. 10/080,881



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

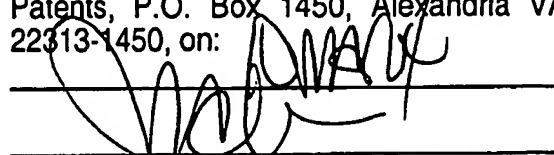
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\_\_\_\_\_  
Marie W. Lau

**DECLARATION OF JOSEPH H. SCHULMAN IN SUPPORT OF A  
PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Joseph H. Schulman, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I am an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").

2. Richard J. Nelson has reported to me that as part of his work for the Alfred E. Mann Foundation for Scientific Research, he periodically met with Joseph Walker prior to, and after, the filing of the original application. During at least one of these meetings, he discussed the implementation of cylindrical subject matter of the invention disclosed

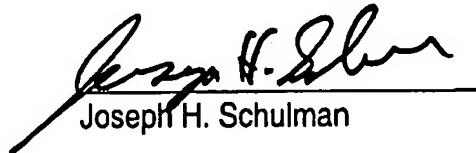
in the original application and related subject matter and a drawing was provided in the filing of the original application. He subsequently discussed the scope of the claimed invention and as a result of these meetings, the claims 3, 33, and 52 have been amended and claims 55-63 have been added. Accordingly, I now believe that Mr. Walker is clearly an inventor in that which is claimed in the present application.

3. Neither the Alfred E. Mann Foundation for Scientific Research nor I had any deceptive intent in not naming Joseph Walker as an inventor in the original application.

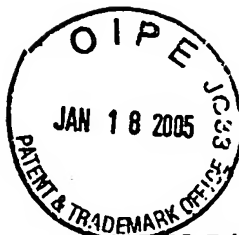
4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

3-5-4  
Date

  
Joseph H. Schulman

Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 (fax)



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

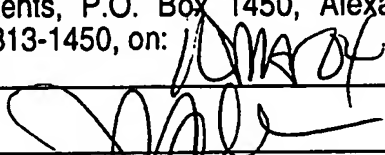
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<b>Serial No.:</b>	10/080,881	<b>Examiner:</b>	Getzow, Scott M.
<b>Filed:</b>	February 21, 2002		
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**Alexandria, VA 22313-1450**

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\_\_\_\_\_  
Marie W. Lau

**DECLARATION OF RICHARD J. NELSON IN SUPPORT OF A**  
**PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Richard J. Nelson, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I am an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").

2. As part of my work for the Alfred E. Mann Foundation for Scientific Research, I periodically met with Joseph Walker prior to, and after, the filing of the original application. During at least one of these meetings, we discussed the implementation of cylindrical subject matter of the invention disclosed in the original application and

MAY 28 2004

**OFFICIAL****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Nelson, et al.	<b>Art Unit:</b>	3762
<b>Serial No.:</b>	10/080,881	<b>Examiner:</b>	Getzow, Scott M.
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<b>For:</b>	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

**VIA FACSIMILE 703-872-9306**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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703-872-9306 on: 28 May 04

  
Maria W. Lau

**SUPPLEMENTAL PETITION TO CORRECT INVENTORSHIP PURSUANT TO**  
**37 C.F.R. 1.48(a)**

Dear Sir:

Pursuant to 37 C.F.R. 1.48(a), Applicant hereby petitions the Commissioner to correct inventorship in the above-identified patent application. As supported by the previously enclosed declarations of Richard J. Nelson and Joseph H. Schulman and the consent of the assignee (copies attached), applicants, without deceptive intent, incorrectly named the inventors in the declaration filed in the parent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002.

Pursuant to the Office Action date 05/26/2004, an additional declaration is filed with this paper by Joseph N. Walker, the person being added as an inventor, that the error in inventorship occurred without deceptive intention on his part.

Serial No. 10/080,881

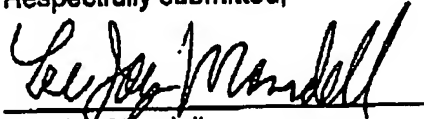
-1-



In view of all of the foregoing, it is respectfully submitted that the additional declaration has now placed the application in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (661) 702-6700 to discuss the steps necessary for placing the application in condition for allowance.

5/28/04  
Date

Respectfully submitted,



Lee Jay Mandell  
Attorney for Applicant  
Reg. No. 37,176

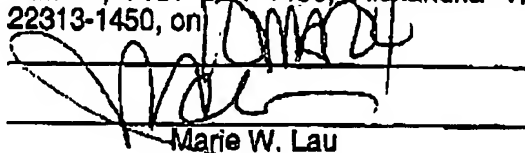
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Marie W. Lau**CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP****PURSUANT TO 37 C.F.R. 1.48(a)**


Dear Sir:

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they are the Assignee of the referenced patent, and that the Petition to correct  
inventorship in the above-identified patent application is hereby approved.

Respectfully submitted,

3-5-4

Date

  
Joseph H. Schulman  
President

Assignee  
Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
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Serial No. 10/080,881

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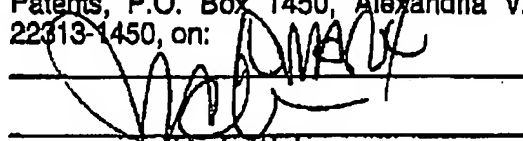
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Serial No. 10/080,881

-1-

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4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

3-5-4

Date

  
Joseph H. Schulman

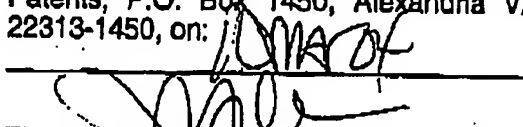
Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 (fax)

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Nelson, et al.	<b>Art Unit:</b>	3762
<b>Serial No.:</b>	10/080,881	<b>Examiner:</b>	Getzow, Scott M.
<b>Filed:</b>	February 21, 2002		
<b>Docket No.:</b>	A261-USA		
<b>For:</b>	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on:

  
Marie W. Lau

**DECLARATION OF RICHARD J. NELSON IN SUPPORT OF A  
PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Richard J. Nelson, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I am an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").

2. As part of my work for the Alfred E. Mann Foundation for Scientific Research, I periodically met with Joseph Walker prior to, and after, the filing of the original application. During at least one of these meetings, we discussed the implementation of cylindrical subject matter of the invention disclosed in the original application and

Serial No. 10/080,881

-1-

related subject matter and a drawing was provided in the filing of the original application. We subsequently discussed the scope of the claimed invention and as a result of these meetings, the claims 3, 33, and 52 have been amended and claims 55-63 have been added. Accordingly, I now believe that Mr. Walker is clearly an inventor in that which is claimed in the present application.

3. Neither the Alfred E. Mann Foundation for Scientific Research nor I had any deceptive intent in not naming Joseph Walker as an inventor in the original application.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

3/5/04  
Date

Richard J. Nelson  
Richard J. Nelson

Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(661) 775-3995  
(661) 775-1595 (fax)

Serial No. 10/080,881

-2-

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Nelson, et al.	<b>Art Unit:</b>	3762
<b>Serial No.:</b>	10/080,881	<b>Examiner:</b>	Getzow, Scott M.
<b>Filed:</b>	February 21, 2002		
<b>Docket No.:</b>	A261-USA		
<b>For:</b>	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

**VIA FACSIMILE 703-872-9306**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is  
being facsimile transmitted to the United  
States Patent Office, facsimile number  
703-872-9306 on:

*28 May 04*  
  
Marie W. Lau

**DECLARATION OF JOSEPH N. WALKER IN SUPPORT OF A**  
**PETITION TO CORRECT INVENTORSHIP PURSUANT TO 37 C.F.R. 1.48(a)**

Dear Sir:

I, Joseph W. Walker, state and declare:

1. I am an employee of the Alfred E. Mann Foundation for Scientific Research and I was not an originally named inventor in the present application, US patent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002 (the "original application").
2. As part of my work for the Alfred E. Mann Foundation for Scientific Research, I periodically met with Richard J. Nelson prior to, and after, the filing of the original application. During at least one of these meetings, we discussed the implementation of cylindrical subject matter of the invention disclosed in the original application and related subject matter and a drawing was provided in the filing of the original

Serial No. 10/080,881

-1-

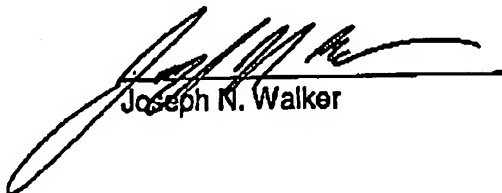
application. We subsequently discussed the scope of the claimed invention and as a result of these meetings, the claims 3, 33, and 52 have been amended and claims 55-63 have been added. Accordingly, I now believe that am an inventor in that which is claimed in the present application.

3. Neither the Alfred E. Mann Foundation for Scientific Research nor I had any deceptive intent in not being named as an inventor in the original application, i.e., pursuant to 37 CFR 1.48(a)(2) that the error in inventorship occurred without deceptive intention on my part.

4. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

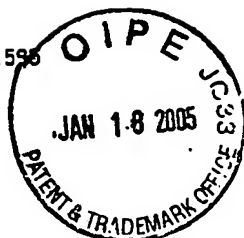
28 MAY 2004  
Date

  
Joseph N. Walker

Alfred E. Mann Foundation for Scientific Research  
P.O. Box 905  
Santa Clarita, CA 91380-9005  
(861) 702-6700  
(661) 702-6710 (fax)



MAY 28 2004



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PATENTIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Nelson, et al.	Art Unit:	3762
Serial No.:	10/080,881	Examiner:	Getzow, Scott M.
Filed:	February 21, 2002		
Docket No.:	A261-USA		
For:	MAGNET CONTROL SYSTEM FOR BATTERY POWERED LIVING TISSUE STIMULATORS		

VIA FACSIMILE 703-872-9308Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450I hereby certify that this correspondence is  
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States Patent Office, facsimile number  
703-872-9308 on: 28 May 04  
Maria W. LauPlease  
enter  
SGSUPPLEMENTAL PETITION TO CORRECT INVENTORSHIP PURSUANT TO37 C.F.R. 1.48(a)

Dear Sir:

Pursuant to 37 C.F.R. 1.48(a), Applicant hereby petitions the Commissioner to correct inventorship in the above-identified patent application. As supported by the previously enclosed declarations of Richard J. Nelson and Joseph H. Schulman and the consent of the assignee (copies attached), applicants, without deceptive intent, incorrectly named the inventors in the declaration filed in the parent application, Magnet Control System For Battery Powered Living Tissue Stimulators, 10/080,881, filed February 21, 2002.

Pursuant to the Office Action date 05/26/2004, an additional declaration is filed with this paper by Joseph N. Walker, the person being added as an inventor, that the error in inventorship occurred without deceptive intention on his part.

Serial No. 10/080,881

-1-

## **APPENDIX B**

# Memorandum



To: File

From: Lee Mandell *LM*

Date: 7/22/2004

Re: A261-USA

Examiner's Interview

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In response to my review of the proposed claim set for the EP version of this matter, I noted four minor typographical errors in the proposed claims. I determined that these typographical errors existed in the US application as well which is in the final stages of allowance (subject to an Ex Parte Quayle).

Accordingly, I contacted Examiner Getzow to discuss this matter. Two issues were discussed:

(1) To ask him to correct these errors via an Examiner's Amendment. With my assurance that these were typographical errors that did not effect the scope of the claims, he seemed amenable to making the changes. The changes are:

(a) Claims 55 and 58, line 6, change "thread" to – threaded--.

(b) Claims 57 and 60, line 6, delete "thread".

(2) We discussed that I had submitted a response to the Ex Parte Quayle on 05/27/04 and he stated that this response should have come up on his docket system by now. He will look into moving this matter forward.